

REMARKS

STATUS OF THE CLAIMS

No claim amendments are filed herein. Claims 1-17 are pending. No new matter is being presented and reconsideration is respectfully requested.

REJECTIONS OF CLAIMS 2, 3, 5, 8-11 and 15-17 UNDER 35 U.S.C. §102(e) AS BEING ANTICIPATED BY SITARAMAN ET AL. (U.S. PATENT NO. 6,427,170 B1)

The rejections of claims 2, 3, 5, 8-11 and 15-17 are respectfully traversed and reconsideration is requested.

Sitaraman discloses an IP management system that uses a publisher-subscriber system including a CORBA-based information broker, so as to deliver or transmit events published by a publisher to one or more subscribers (col. 7, lines 22-29).

In the Response to Arguments, at page 12, item 18, of the Office Action, the Examiner asserts that since Sitaraman et al. (hereinafter "Sitaraman") teaches obtaining the IP address of the terminal and user profiles, it therefore teaches obtaining configuration information of hardware and software of terminals, as recited in claims 2, 8, 11 and 15-17.

The Examiner states, "IP address is considered hardware configuration information as it distinguishes a specific computer (i.e. hardware) from another computer..." (Action at p. 12, item 18) However, given its normal meaning, configuration information of hardware and software of terminals, as recited in claims 2, 8, 11 and 15-17, refers to the particular arrangement of parts and components of the terminals, and the software stored in the terminals. (Specification, page 12, line 30-page 13, line 7, and FIGS. 4A and 4B).

Merriam-Webster's Online Dictionary defines "configuration" as "a relative arrangement of parts or elements." Furthermore, in Brant et al. (U.S. Patent No. 6,629,158 B1), which was examined by the current Examiner, states, "step 142 uses a known protocol, for example, the SCSI identify command, to gather information concerning the particular hardware configuration of data storage system 101. Such information includes, for example, the numbers of controllers 102 and disk storage devices 118-122 in data storage system 101." (Column 5, lines 45-50). It is submitted that an IP address provides no information regarding the particular arrangement of parts and elements of the terminal.

Furthermore, the Examiner states that user profile information, as disclosed by Sitaraman, is considered software configuration information. However, the user profile

information is used merely for the user record database, holding the user identification information. (Column 9, lines 57-67). The user profile provides no information regarding the software stored in the terminal.

Therefore, Sitaraman does not disclose all the limitations of claims 2, 8, 11 and 15-17. Claims 3 and 5 depend from claim 2 and inherit its patentable limitations. Likewise, claims 9 and 10 depend from claim 8 and inherit its patentable limitations. Thus, it is respectfully submitted that claims 2, 3, 5, 8-11 and 15-17 patentably distinguish over Sitaraman.

REJECTIONS OF CLAIMS 1, 4 AND 14 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER SITARAMAN, IN VIEW OF OPOCZYNSKI (U.S. PATENT NO. 5,655,068) FURTHER IN VIEW OF TONELLI ET AL. (U.S. PATENT NO. 6,229,540)

The rejections of claims 1, 4 and 14 are respectfully traversed and reconsideration is requested.

Claims 1 and 14 include similar limitations of obtaining configuration information of hardware and software of terminals, sent from the terminals.

As discussed above, Sitaraman merely teaches obtaining IP addresses and user profiles from the terminals. It follows that Sitaraman cannot teach storing the obtained configuration information of hardware and software, as recited in claims 1 and 14, or accessing the stored configuration information of hardware and software, as recited in claim 14.

Furthermore, it is respectfully submitted that the Examiner has not established *prima facie* obviousness of the combinations of Sitaraman with Opoczynski and Tonelli et al. (hereinafter "Tonelli"), pursuant to the standards required by MPEP 2143-2143.03.

The Examiner merely states, on page 8 of the Action, "it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Sitaraman and Opoczynski because that would initiate facility and maintenance procedures". Furthermore, the Examiner states, on page 9 of the Action, "it would have been obvious to one of ordinary skill in the art at the time of invention to modify the combination of Sitaraman and Opoczynski with Tonelli et al. because that would provide additional or removal of information from configurations for design purpose".

The Examiner provides no suggestion or motivation, within the prior, art to modify the references, or any evidence to support a reasonable expectation of success in modifying the references. Therefore, it is submitted that the Examiner has not satisfied the basic requirements

of a *prima facie* case of obviousness.

Therefore, it is respectfully submitted that the recitations of claims 1 and 14 are not obvious over the references. Claim 4 depends from claim 1 and inherits its patentable limitations. Thus, it is submitted that claim 4 is not obvious over the references.

ALLOWABLE SUBJECT MATTER

At page 12, item 16, of the Office Action, the Examiner states that claims 6, 7, 12 and 13 would be allowable if rewritten in independent form including all of the limitations of the base and any intervening claims.

In light of the foregoing arguments for independent claims 1, 2, 8 and 11, we believe dependent claims 6, 7, 12 and 13 are patentable as they stand.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: H. J. Staas
H. J. Staas
Registration No. 22,010

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501